

A D M I N I S T R A T I V E	OBTS Number		Agency Report Number 13-084768		<b>ARREST / NOTICE TO APPEAR</b>		Arrest: ( X ) Juvenile: ( ) Supplemental: ( )		
	Agency ORI Number FL0360000		Agency Arrest Number		Lee County Sheriff's Office		Notice to Appear: ( ) Remand: ( )		
	Location of Arrest (include Name of Business) BEN HILL GRIFFIN PKWY/ESTERO P Fort Myers FL 33916 Delta D2		Clerk/Warrant Number 13CT501021, 13CT501022, 13CT501023						
	Location of Offense (Name and Address) BEN HILL GRIFFIN PKWY/ESTERO P Fort Myers FL 33916 Delta D2		Date of Offense 03/02/2013						
	Date of Arrest 03/02/2013	Arrest Time 0227	Booking Date 03/02/2013	Booking Time	Finger Printed by:		Finger Print Type:		
	Jail Date	Jail Time	Jail No	County ID No	Other Local No	FDLE No	DOC No	FBI No	
D E F E N D A N T	Name (last, first, middle) Britton, John Drake								
	Alias/Moniker								
	Race: ( W )	Sex: ( M )	DOB: 05/22/1989	HT: 6'2"	WT: 220	Eye Col BLU	Hair Col BRO	Complex ( M )	
	Build ( M )	Scars, Marks, Tattoos:							
	Indication of:		BAC #: 000	Place of Birth Country/State - TX		Citizenship ( Y ) US			
	Alcohol Influence: ( X )		Drug Influence: ( )						
	Local Address (Street, Apt #)		City Magnolia		State TX	Zip 77355	Phone		
	Permanent Address (Street, Apt #)		City Magnolia		State TX	Zip 77355	Phone		
	Business Address (Name, Street)		City		State	Zip	Phone		
	Res Type: ( 5 )	Occupation: Pitcher Boston	Driver's Lic No:	State TX	SS #:	Immigration No.			
Nearest Relative									
Street City State Zip Phone									
C O D E F	Co-Defendant Name (Last, First, Middle)						Race ( )	Sex ( )	DOB or Age
	Co-Defendant Name (Last, First, Middle)						Race ( )	Sex ( )	DOB or Age
C H A R G E	Charge Description #1 Clerk/Warrant Number - 13CT501021 TRAFFIC OFFENSE - DUI ALCOHOL OR DRUGS		Counts ( X ) F.S. 1	Citation ( )	Violation No 316.193 (1)	Narc Act ( N ) Type ( N )	Bond Charge #		
			( ) Ord	Dom Viol: ( )	DV Injury: ( )	Amt / Unit 0	Type ( )		
	Charge Description #2 Clerk/Warrant Number - 13CT501022 TRAFFIC OFFENSE - DUI AND DAMAGE PROPERTY		Counts ( X ) F.S. 1	Citation ( )	Violation No 316.193 (3c1)	Narc Act ( N ) Type ( N )	Bond Charge #		
			( ) Ord	Dom Viol: ( )	DV Injury: ( )	Amt / Unit 0	Type ( )		
	Charge Description #3 Clerk/Warrant Number - 13CT501023 MOVING TRAFFIC VIOL - RECKLESS DRIVING 1ST OFF		Counts ( X ) F.S. 1	Citation ( )	Violation No 316.192 (1a)	Narc Act ( N ) Type ( N )	Bond Charge #		
		( ) Ord	Dom Viol: ( )	DV Injury: ( )	Amt / Unit 0	Type ( )			
UCR Code #1			UCR Code #2			UCR Code #3			
A U T O	Year 2008	Make Chevrolet	Model SILVERADO	Tag 098FY8	Color Black	VIN #			
	Location of Vehicle / Towed From BEN HILL GRIFFIN PKWY/ESTERO P/Same As Above				Removed by / Stored At G And C Towing/Same As Above				
N O T I C E	( X ) Mandatory Appearance in Court		Location (Court Room No, Address) RM:A1 1700 Monroe St Fort Myers FL 33901						
	( ) You need not appear in Court but must comply with instructions on the reverse side		Month: March	Day: 18	Year: 2013	Time: 0800	( X ) A.M. ( ) P.M.		
			Location (Court Room No, Address)						
			Month:	Day:	Year:	Time:	( ) A.M. ( ) P.M.		
I Promise to appear at the above Date, Time, and assigned Court room, to answer the offense charged, or to pay the fine subscribed. Failure to appear will result in the issuance of a PICK-UP ORDER OR WARRANT.									
Signed:									
Signature of Defendant					Supervisor review and approval Sergeant Anthony Perfetto				



OBTS No	Agency Report Number <b>13-084768</b>	<b>PROBABLE CAUSE STATEMENT</b>	1. Arrest(cont)	3. Arrest Affidavit
Agency ORI Number <b>FL0360000</b>	Agency Arrest Number		2. Notice to Appear (cont)	4. Complaint Affidavit
		<b>Lee County Sheriff's Office</b>	JUVENILE	5. Request for Capias

Defendant Name (last, first, middle) **Britton, John Drake** Alias

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant committed the following violation of law: **DUI ALCOHOL OR DRUGS, DUI AND DAMAGE PROPERTY, RECKLESS DRIVING 1ST OFF**

On the **2** day of **March** **2013** at **0219** (X) A.M. ( ) P.M. Specifically include facts constituting cause for arrest)

WRITE NARRATIVE IN THE 1st PERSON (i.e. I witnessed the suspect)

GIVE BASIS FOR KNOWLEDGE OF THE INCIDENT (i.e. I was told by)

### Narrative

On Saturday March 2, 2013, I Cpl Gould encountered a black Chevrolet Silverado traveling east bound on Estero Parkway approaching Three Oaks Parkway. I observed the Chevrolet was traveling at a speed much higher than the posted speed limit. I estimated the Chevrolet was traveling 74 mph in a posted 45 mph speed zone. I turned on my radar unit and clocked the Chevrolet traveling 76 mph in a posted 45 mph speed zone. I then turned around and attempted to catch up to the Chevrolet to stop the vehicle for the speeding infraction. I was able to catch up to the Chevrolet, as it was crossing over the overpass to interstate 75. At this time, I began to pace the Chevrolet as it was traveling 111 MPH in a posted 45 mph speed zone. The Chevrolet then began to swerve in-between other slower moving vehicles that where also traveling on Estero Parkway approaching Ben Hill Griffin Parkway. Due the high rate of speed and the reckless operation of the Chevrolet, I turned on my emergency lights in an attempt to stop the Chevrolet for the numerous traffic violations.

The Chevrolet then entered the left turn lane of Estero Parkway and Ben Hill Griffin Parkway. The Chevrolet then crossed over the intersection and exited the roadway still traveling east bound at a high rate of speed. The Chevrolet jumped the curb drove down a small decline and stuck a barbed wire fence. The Chevrolet then drove through the fence knocking it down. The Chevrolet continued to travel east bound down a dirt road for about a fourth of a mile before attempting to turn left into the woods. The Chevrolet then came to a stop and I exited my patrol car drawing my firearm from its holster due to being unsure of the driver's intentions at this point and time. The driver who was identified as John Drake Britton with a date of birth of 05/22/89 placed his hands out the driver's window of his vehicle. At this time realizing that, Britton did not pose an immediate threat I made contact with him as he sat in the driver seat of his truck. I explained to Britton the reason for the stop and Britton had a dazed look on his face. I asked Britton for his driver's license and he handed me his Bank of America Visa debt card. I explained to Britton that I did not need his Visa card but did need his driver's license and Britton gave me his Texas driver's license. While talking to Britton I could smell a strong odor of an alcoholic beverage coming from his breath he also had slurred speech and bloodshot watery eyes. When asked if he had been drinking tonight Britton said, "Yes I have been". I then explained to Britton that he was going to found at fault for the crash I had observed and I was now going to be conducting an investigation for DUI. I asked Britton if he would submit to field sobriety exercises and he agreed.

The first exercise was the horizontal gaze nystagmus. Britton had pupils that were equal in size and tracked equally. Britton had a lack of smooth pursuit in both eyes and a distinct sustained nystagmus at maximum deviation. Britton had a nystagmus prior to the onset of forty-five degrees. (35) Britton had distinct sustained vertical gaze nystagmus.

The second exercise was the finger to nose. During the exercise, Britton did not touch his nose in the proper manner by missing the tip of his nose and using the pad of his finger. Britton did not return his arms to there side and attempted to use the wrong hand. Britton also open and closed his eyes.

Based on my observations I placed Britton under arrest for DUI, DUI property damage and reckless driving. I read Britton implied consent from a pre written card. When asked if he would take a breath test Britton said to me "I don't understand what's going on". After explaining the situation to Britton again, I asked him if he would take a breath test and Britton said "no". I transported Britton to the Lee County Jail without incident. At the jail at no time did Britton recant his refusal and he was turned over to the jail detention staff.

Adults Only ( ) Hold for First Appearance Do Not Bond Out. Reason:	<b>B O N D  I N F O R M A T I O N</b>
I swear/affirm the above and reverse and attached statements are true and correct OFFICERS SIGNATURE	
NAME (printed) <b>Corporal - Leonard Gould</b> ID No./Dist <b>00071-Traffic</b>	
Sworn and subscribed before me the undersigned authority This <b>2</b> day of <b>March</b> <b>2013</b>	
SIGNATURE of Person Authorized to Administer Oath	
PRINTED Name/Title of Person Authorized to Administer Oath	

Date	Bond Charge # Type ( )	Bond Charge # Type ( )
Location of Appearance (Court Room No. Address) <b>RM:A1 1700 Monroe St Fort Myers FL 33901</b>		
Returnable Court Date	Returnable Court Time	( ) A.M. ( ) P.M.
Release Date	Release Time	( ) A.M. ( ) P.M.
Releasing Officer		
Page <b>2</b>	Page <b>2</b>	of